

UNITED STATES PATENT AND TRADEMARK OFFICE



APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO	
09/831,681	05/10/2001	Alexander James Wigmore	2001-0878.ORI	2001-0878.ORI 7056	
7	590 07/28/200	3			
Mark J. Burns	3		EXAMINER		
1130 TCF Tow 121 South Eigh	nth Street		TRAN, SI	TRAN, SUSAN T	
Minneapolis, N	1N 55402		ART UNIT	PAPER NUMBER	
			1615 DATE MAILED: 07/28/2003	13	

Please find below and/or attached an Office communication concerning this application or proceeding.

•	Application N .	Applicant(s)	
Advisory Action	09/831,681	WIGMORE, ALEXA	NDER JAMES
Auvisory Action	Examiner	Art Unit	
	Susan Tran	1615	
The MAILING DATE of this communication appe	ars on the c ver sheet with the c	correspondence add	ress
THE REPLY FILED 29 May 2003 FAILS TO PLACE THI Therefore, further action by the applicant is required to average final rejection under 37 CFR 1.113 may only be either: (1) condition for allowance; (2) a timely filed Notice of Appea Examination (RCE) in compliance with 37 CFR 1.114.	oid abandonment of this applica) a timely filed amendment whicl	ation. A proper repl h places the applica	y to a ition in
PERIOD FOR RE	EPLY [check either a) or b)]		
a) The period for reply expires 3 months from the mailing date b) The period for reply expires on: (1) the mailing date of this A no event, however, will the statutory period for reply expire I ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS 706.07(f). Extensions of time may be obtained under 37 CFR 1.136(a). The fee have been filed is the date for purposes of determining the period of fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of (2) as set forth in (b) above, if checked. Any reply received by the Offictimely filed, may reduce any earned patent term adjustment. See 37 C	Advisory Action, or (2) the date set forth ater than SIX MONTHS from the mailing FILED WITHIN TWO MONTHS OF THE date on which the petition under 37 CF of extension and the corresponding amount the shortened statutory period for reply ce later than three months after the mail	g date of the final rejecting FINAL REJECTION. R 1.136(a) and the approper of the fee. The appropriation of the fee. The appropriginally set in the final	on. See MPEP opriate extension ropriate extension Office action; or
1. A Notice of Appeal was filed on Appellant's 37 CFR 1.192(a), or any extension thereof (37 CFF			
2. ■ The proposed amendment(s) will not be entered be		i ino appoui.	
(a) ⊠ they raise new issues that would require further		see NOTE below);	
(b) ☐ they raise the issue of new matter (see Note b		,	
(c) ☐ they are not deemed to place the application is issues for appeal; and/or		rially reducing or sir	mplifying the
(d) they present additional claims without canceli	ng a corresponding number of fi	inally rejected claim	S.
NOTE:	· · · · · · · · · · · · · · · · · · ·		
3. Applicant's reply has overcome the following reject	tion(s):		
4. Newly proposed or amended claim(s) would canceling the non-allowable claim(s).	be allowable if submitted in a se	eparate, timely filed	amendment
5.⊠ The a)⊠ affidavit, b)□ exhibit, or c)□ request for application in condition for allowance because: <u>Se</u>		dered but does NO	T place the
6. The affidavit or exhibit will NOT be considered bec raised by the Examiner in the final rejection.	ause it is not directed SOLELY t	o issues which were	e newly
7. For purposes of Appeal, the proposed amendment explanation of how the new or amended claims we			and an
The status of the claim(s) is (or will be) as follows:			
Claim(s) allowed:			
Claim(s) objected to:			
Claim(s) rejected:			
Claim(s) withdrawn from consideration:			
8. \square The proposed drawing correction filed on is	a) ☐ approved or b) ☐ disapp	roved by the Exami	ner.
9. Note the attached Information Disclosure Statement	nt(s)(PTO-1449)	·	
10.⊠ Other:			
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Continuation of 5. does NOT place the application in condition for allowance because:

The dissolution rates for a well known disintegrant would be routinely determined by one of ordinary skill in the art. The claims are not limited to tablets. Therefore the Declaration was not found to be persuasive. The amendment has not been entered since a review of the specification does not establish the claimed criticality, but recognizes various ratios and percents as being optional.

THURMAN K. PAGE
SUPERVISORY PATENTLEXAMINER
TECHNOLOGY CENTER 1500